

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

SOMASUNDARAN KUMARAN

V.

**ALBERT SANDIFER AND
BRYCE TRANSPORT, INC.**

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CIVIL ACTION NO. 1:18-CV-00324

DEFENDANTS' NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COME NOW, Charles Sandifer and Bryce Transport, Inc., the defendants in the above-captioned cause, and file this notice of removal and respectfully show unto this Honorable Court as follows:

I. STATE COURT ACTION

This case was initially filed in the 172nd Judicial District Court of Jefferson County, Texas. The state court action is styled: Cause no. E-0201883; Somasundaran Kumaran v. Albert Sandifer and Bryce Transport, Inc.; in the 172nd Judicial District Court of Jefferson County, Texas.

II. PARTIES

The plaintiff, Somasundaran Kumaran, is an individual citizen and resident of the State of Texas.

The defendant, Charles Sandifer, is an individual citizen and resident of the State of Louisiana.

The defendant, Bryce Transport, Inc., is a Louisiana corporation with its principal place of business in the State of Louisiana.

III. JURISDICTION

This Court has jurisdiction over the subject matter of this cause, pursuant to 28 U.S.C. § 1332, because this a civil action in which the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different states. Accordingly, this cause is removable pursuant to 28 U.S.C. § 1441 and § 1446.

IV. TIMELINESS

The defendants, Bryce Transport, Inc. and Charles Sandifer, were first served with process and the plaintiff's original petition on June 14, 2018. Accordingly, thirty days have not elapsed since any defendant was served with process. As such, pursuant to 28 U.S.C. § 1446, this notice of removal is timely and proper.

V. ATTACHMENTS

Pursuant to 28 U.S.C. § 1446(a) and Local Rule CV-81, the following exhibits are attached hereto and are incorporated herein by reference:

- a. Exhibit A: civil cover sheet;
- b. Exhibit B: certified copy of the state court docket sheet;
- c. Exhibit C: copy of all pleadings that assert causes of action and all answers to such pleadings;
- d. Exhibit D: list of parties;
- e. Exhibit E: list of attorneys;
- f. Exhibit F: record of which parties have requested a trial by jury;
- g. Exhibit G: court name and address from which case is being removed; and
- h. Exhibit H: statement regarding case status.

VI. CONDITIONS PRECEDENT

The defendants have tendered the filing fee required by the Clerk of the United States District Court for the Eastern District of Texas, Beaumont Division, along with the notice of removal. A copy of this notice of removal is also being filed in the 172nd Judicial District Court of Jefferson County, Texas, and all counsel of record are being provided with complete copies.

VII. PRAYER

WHEREFORE, PREMISES CONSIDERED, the defendants respectfully request that the above action, Cause no. E-0201883; Somasundaran Kumaran v. Albert Sandifer and Bryce Transport, Inc., in the 172nd Judicial District Court of Jefferson County, Texas, be removed to this Court.

Respectfully submitted,

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/s/ Greg C. Wilkins

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ATTORNEYS FOR DEFENDANTS,
CHARLES SANDIFER AND BRYCE
TRANSPORT, INC.

CERTIFICATE OF SERVICE

I do hereby certify that on the 9th day of July, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and also forwarded it to all known counsel of record by Certified Mail, Return Receipt Requested.

/s/ Greg C. Wilkins
Greg C. Wilkins